

## Foreword

When I was at sea last August, on my voyage to this country ... on inspecting the observations of the day, that India lay before us, and Persia on our left, whilst a breeze from Arabia blew nearly on our stern ... It gave me inexpressible pleasure to find myself in the midst of so noble an amphitheatre, almost encircled by the vast regions of Asia ... I could not help remarking how important and extensive a field was yet unexplored ... and when I considered with pain that ... such inquiries and improvements could only be made by the united efforts of many who are not easily brought ... to converge in a common point, I consoled myself with a hope founded on opinions, which it might have the appearance of flattery to mention, that if in any country or community such an union could be effected, it was ... in Bengal.

Sir William Jones, *First Discourse to the Asiatic Society*  
Asiatic Society, Calcutta, 15 February 1784



A little under five months after his marriage to Anna Maria Shipley, a daughter of the bishop of St Asaph, Sir William Jones and his new bride made landfall in India on 2 September 1783. They were carried ashore at Madras in the arms of strapping Tamil boatmen from the small frigate HMS *Crocodile*.<sup>1</sup> The Joneses were in India for Sir William to take up office as a judge of His Majesty's supreme court of judicature at Fort William, Calcutta, in Bengal Presidency. And so, a couple of days later they set sail again on the final leg of the journey, up the coast

<sup>1</sup> Michael J. Franklin, *Orientalist Jones: Sir William Jones, Poet, Lawyer, and Linguist, 1746–1794* (Oxford, 2011), 8; John Keay, *India Discovered: The Revocery of a Lost Civilization* (London, 1988; first published as *India Discovered: The Achievement of the British Raj*, Leicester: Windward, 1981), 19. HMS *Crocodile* was a 24-gun, sixth-rate frigate which, having set sail from Bombay in January 1784, sank off the South Devon coast at Prawle Point on 9 May, eight months after delivering Sir William and Lady Jones to Madras; see 'Marine Archaeology and Shipwreck Research', database on line at <http://www.marinearchaeology.org/Crocodile.htm> (accessed 23 July 2016).

from Madras to the ‘city of Palaces’. During the five-month voyage, Sir William had been furthering his studies in Persian law: he was already conversant with Roman, Greek, and Arabian legal history, and his friend, Edward Gibbon, considered him a genius.

Before Jones arrived in Calcutta, Warren Hastings, the governor-general of Bengal, had been encouraging accomplished British linguists to make translations from Indian texts; most notable of these was the translation of the *Bhagavad Gīta* by Charles Wilkins.<sup>2</sup> With a small circle of men like Wilkins already in place, on 15 January 1784, less than sixteen weeks after his arrival in Calcutta, Jones founded the Asiatic Society with the aim of enquiring into the history, civil and natural, the antiquities, arts, sciences and literature of Asia.

From here, in a way, the story of this book begins. In 2011, I (like Sir William Jones’s wife, offspring of a bishop of St Asaph) made my first visit to the museum of the Asiatic Society on Park Street in the heart of Kolkata. There I viewed a few the inscribed copper-plates that embody gifts of land by rulers of Bengal to brahmanical communities.

Records of the gift of land are the major source both for the historian of early Bengal and of medieval Scotland alike. By contrast with many other countries, this type of evidence, in copper, parchment, or stone, is central to debates about the growth of royal authority, the development of government, and its relation to people on the land. For Scotland between the eleventh and thirteenth centuries, charters, in the broadest sense of that term, are the largest category of historical source, and Bengal’s early medieval history relies heavily on its copper-plate ‘charters’ too. Both regions have in addition epigraphic, genealogical, and panegyric evidence. The Asiatic Society along with the Indian Museum in Kolkata, as well as the West Bengal State Archaeological Museum in Behala, hold many of the copper-plate donative inscriptions of early medieval Bengal. And so it was that my first visit to the Asiatic Society produced the

<sup>2</sup> *The Bhāgavat-gēētā, or Dialogues of Krēṣhṇā and Ārjōṅ* (London, 1785).

initial inspiration for the project – funded by the British Academy – which gave rise to this book.<sup>3</sup>

This same Asiatic Society also fostered and promoted the notion of an Indo-European family of languages; and it is the Indo-European linguistic theory which in some way illustrates the theme of this collection of studies.<sup>4</sup> In Sanskrit the word for the method of giving as a ‘gift’ is *dāna*; and in Latin, the same Indo-European root, \*deh<sub>3</sub>- provides the noun *dōnum*, ‘gift’, and verb *dōno* ‘I give’.<sup>5</sup> It is the concept of transferring ownership of property by giving as a gift that is at the heart of the property records, whether from Bengal or Scotland, which are considered in this book.

In 2013 Susan Reynolds delivered a plea to an audience in Delhi for historians of early medieval India to make comparisons with early medieval Europe.<sup>6</sup> The comparison of medieval European charters (Latin written on parchment) and contemporaneous records of property-transfer from early medieval India (Sanskrit inscribed on copper or stone), as I have already mentioned, reveals significant similarities of form and content. Recognition of these parallels in inscriptions from Pāla-Sena Bengal (8th–12th centuries CE) led to foundational works in the 1980s by Swapna Bhattacharya, the only historian previously to have published a comparative textual studies of the diplomatic of Latin and Sanskrit records based on analysis of original texts.<sup>7</sup> The British Academy project began by revisiting

<sup>3</sup> British Academy, International Partnership Mobility scheme, grant of £9968 awarded for the period September 2014–August 2015.

<sup>4</sup> Sir William Jones, *Third Anniversary Discourse*, 2 February 1786, The Asiatic Society, Calcutta, printed in *Man and Nature. Discourses of Sir William Jones* (Kolkata, 2010), 15–28; see also Keay, *India Discovered*, 19–38; Edward W. Said, *Orientalism* (London, 2003; first published New York, 1979), 135–7.

<sup>5</sup> Michiel de Vaan, *Etymological Dictionary of Latin and the other Italic Languages* (Leiden, 2008); *Encyclopaedia of Indo-European Culture*, ed. J. P. Mallory and Douglas Q. Adams (London, 1997), 185.

<sup>6</sup> Susan Reynolds, ‘Early medieval law in India and Europe: a plea for comparisons’, *The Medieval History Journal* 16:1 (April 2013), 1–20.

<sup>7</sup> Swapna Bhattacharya, ‘A comparative analysis of land grant documents from early medieval Bengal and Germany’, in *Proceedings of All India Oriental Conference: thirtieth session, Visva Bharati University, Santiniketan October*

Bhattacharya's earlier initiative as a model for comparing inscriptions from Bengal with charters and inscribed stones from Scotland.

In the first chapter of this book, Bhattacharya has provided an overview of her initial thesis, including the subject of the Ottonian-Salian imperial state-church system (*Reichskirchen-system*), engaging with the work of Timothy Reuter and other, German, scholars. The Ottonian empire in particular and Ottonian-Salian rule (919–1125) as a whole has been the focus in her contribution, where parallels have been shown between the structure of charters and Sanskrit donative inscriptions, as well as important similarities in the nature of the immunity granted to monasteries in Germany with those conceded to temples, Buddhist monasteries, and learned brāhmaṇas in Bengal. While addressing the increasing centralisation of royal influence and control through property transfer to religious institutions, whether to churches, temples, monasteries (Christian or Buddhist) as well as sacerdotal elites (bishops or brāhmaṇas), performed through symbolic rituals in Europe and India, Bhattacharya has demonstrated her continuing interest in drawing parallels in the two otherwise geographically distantly situated worlds of Europe and Asia.

Having taken Bhattacharya's original comparisons with Ottonian-Salian Germany as initial inspiration, it became clear that the area of my own specialism, the Scottish kingdom from the ninth to the thirteenth centuries (contemporary with the later Indian early middle ages), would be another especially apt

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1980 (Poona, 1982), 343–50; *eadem*, *Landschenkungen und staatliche Entwicklung im Frühmittelalterlichen Bengalen 5. bis 13. Jh. n. Chr. (Land Grants and State Formation in Early Medieval Bengal from 5th to 13th c. A.D.)* Beitrage zur Suedasienforschung 99 (Stuttgart, 1985); *eadem*, 'Landschenkungen und Politische Entwicklung unter den Palas in Bengalen und Bihar c.750–1152 n. Chr.', in *Ancient Indian History Philosophy and Culture: Essays in memory of Professor Radha Govinda Basak Vidya-Vacaspati*, ed. Pratap Bandyopadhyay and Manabendu Banerjee (Calcutta, 1987), 107–23. John S. Critchley had made some important points of comparison, based on the secondary literature, in his monograph, *Feudalism* (London, 1978), 60–2, 92–3; see below, p. 49.

comparator because it has charters and (later on) panegyric poetry (although surviving in different contexts) to compare with the copper-plate inscriptions and their integral *praśastis* (praise-poems, often with a genealogical element) from early medieval Bengal. Wales and Ireland would be the only other places to offer something similar; but in Scotland alone do we have a well-developed charter tradition, and that is our chief point of interest and comparison.

As well as offering new ways of thinking about the relationship between charters, panegyric and genealogy, the copper-plate inscriptions of Bengal have the potential to add a fresh understanding of parchment charters as artefacts. Epigraphy, being a significant source for Bengal, is also important in a Scottish context, with a large corpus of early medieval inscribed stones, including potential evidence for property-transfer and genealogy directly associated with land. Because land-transfer in both regions was closely related to royal prerogative and royal legitimacy, understanding the records leads to questions about the evolution of royal authority and formation of kingdoms.

This volume is intended to be instrumental in developing new thinking, practices, paradigms, and audiences for work on records of property-transfer in South Asia, by viewing the sources as legal, political, and literary texts, in a field once dominated by Marxist models of feudalism.<sup>8</sup> Historians of Scotland wish to learn about the interplay of dynastic propaganda and written instruments of government: panegyric is always separate from charters in Scotland, but the two are combined in the Bengal context. The role of fragile parchment as a permanent record of property-transfer compared with the durable copper-plates and epigraphy of Bengal is another point of potentially informative contrast. In this way we can take the copper-plate inscriptions of Bengal as a means of bringing together things that are in Scotland chronologically and culturally disparate. In both cases we are aiming to understand the rights and powers a ruler

<sup>8</sup> The most influential work in this school is R. S. Sharma, *Indian Feudalism, c. 300–1200* (Calcutta, 1965).

had over a subject's lands, and how possession of land related to administration of the law.

Scholars with a combined knowledge of Sanskrit, Latin, and a developed understanding of diplomatic, are scarce, so we decided to merge specialist knowledge. Swapna Bhattacharya with Suchandra Ghosh, Sayantani Pal and Rajat Sanyal at the University of Calcutta worked with me, Dauvit Broun, Katherine Forsyth, Sim Innes, and Joanna Tucker, from the University of Glasgow's Centre for Scottish and Celtic Studies in the School of Humanities. Through two colloquia, one in Glasgow (September 2014) the other in Kolkata (April 2015), we discussed papers comparing our respective sources and methods. The following studies represent the initial results of our collaboration.

The work, presented here, has confirmed that genuinely close parallels exist between records of property-transfer in both contexts. Early Bengal and Scotland are two societies without any immediate contacts or shared influence; nevertheless, both have a markedly similar range of textual ways of expressing rulership and landholding. Each has written records of gifts of land, boundary descriptions, genealogy, and praise poetry. The copper-plate inscriptions of Bengal were many-faceted texts used in a specific setting: to support hereditary religious castes and institutions. In Scotland, charters and inscriptions secured landholding generally, while genealogies and praise-poems were separately associated with kin-based power. In Bengal, the chief sources for studying the development of statehood – copper-plate inscriptions – include gift of land, boundary clause, genealogy, and panegyric in one text; in Scotland only charters – the records of property transfer – are studied in this light. We therefore began to ask whether a new understanding of landholding and growing royal authority could be fashioned that might be applicable in both contexts.

As the output of written records in Scotland grew in number and diversity, Joanna Tucker shows us that the content of a charter as a written instrument was relatively flexible. This meant, for instance, that the boundary clause was not a routine feature of all charter texts. The length and detail of a boundary clause, moreover, could vary significantly from charter to

charter, both reflecting the different types and sizes of land being given, as well as the needs of the specific beneficiary. The charters of Melrose Abbey, for instance, were especially detailed.

The different types of record allow us to see the function of written boundary clauses in their various documentary contexts: it was both the documentary culture of the time as well as the nature of the transaction itself that ultimately shaped the form of the written boundary in the Scottish scenario.

In the light of the significant contribution to Bengal boundary studies made here by Rajat Sanyal and Suchandra Ghosh, Joanna Tucker has gone on to draw out points of similarity and contrast with the boundary clauses in the copper-plate inscriptions. Although the Scottish material does not begin until the twelfth century, comparisons can be drawn with boundary clauses from the Bengal copper-plates from the sixth to twelfth centuries CE. (We also note that the rest of Britain shows evidence of boundary clauses beginning in the ninth century.) While the boundary clauses are similar in a general sense, a key difference is their form. In the Bengal texts, for example, the descriptions are structured by compass points: at first only in a limited way but later in much more detail. In Scotland, the form is 'linear', describing the boundary as though it is being walked. It is interesting that in early medieval England there was a change from compass points to a linear description. But it is striking that it is in charters from Scotland, rather than England, that boundary clauses appear more frequently in the twelfth century.

Another theme of interest in the Bengal material appears to be the extent to which the brāhmaṇas were increasingly the recipients of land as donations. Sayantani Pal argues here that after the ninth century, the brāhmaṇas were exclusively the recipients of gifts of land by the ruling authority. Boundary clauses reveal that the lands the brāhmaṇas were given would often be bounded by lands of non-brāhmaṇas. In Scotland, by comparison, interaction between the church and laypeople may have been one factor which fuelled the writing of charters in the twelfth century.

A further parallel is the increasing detail given in charters across time. Suchandra Ghosh has demonstrated this in the

boundary clauses of Kāmarūpa charters from the sixth to twelfth centuries. As different ruling dynasties came to the fore in this area, descriptions of boundaries in copper-plate inscriptions began to become more complex and detailed. This general pattern is mirrored to some extent in twelfth- and thirteenth-century Scottish charters, where the language and some aspects of the transaction were becoming more detailed over time, as well as increasingly standardised in their form. But an interesting contrast between the two bodies of material – that from Bengal and that from Scotland – is in the nature of the donors: Sayantani Pal has argued that kings exclusively emerged as donors in all sub-regions, and that this tradition continued throughout the rest of the period of study. But in Scotland, the donors were taking the opposite course: from the twelfth century onwards the types of donor were diversifying as the use of charters was being adopted by a widening range of landholders beyond the kings themselves. This reminds us that we should keep in the foreground of our analysis the *us-ers*, as much as the *us-es*, of the written word.

More generally, the role of the *pustapāla* (the record-keepers) in the Bengal inscriptions might be like that played by certain officials in medieval Scotland. We could think of the *judex* (judge) or the sheriff in Scotland, each a local representative who might be involved in record keeping and in presiding over or validating local acts. But it seems that the *pustapāla* could be a donor in a gift of land, whereas in Scotland there are no examples of a *judex* as the donor of a charter. Further investigation is needed to see whether this comparison can be taken any further.

The inclusion of genealogical and panegyric elements in the copper-plates of Bengal has no parallel among medieval Scottish (or British) documents. But Dauvit Broun argues here that, in the case of the genealogy of the king of Scots, a panegyric dimension to the text was introduced by 1005, and that as a piece of parchment read out when lawful possession of the kingdom had been established by any king, the official genealogy also had some similarities with a charter. The chief significance of the genealogy in the inauguration ceremony of a king of the Scots



was to highlight the pivotal role of traditional literate learning in authenticating kingship – a role enhanced by the panegyric element as well as by reading from a scroll. In general terms it was the special function of the learned orders to legitimise the social order. In Scotland this source of authority was associated particularly with the king of Scots, perhaps from as early as the tenth century; the same may have been true of other major kings in lands where the Gaelic language was spoken. Returning to the point that there is a contrast between kings becoming exclusively the donors of land in the Bengal copper-plates on the one hand and, on the other hand, the widening range of donors in twelfth- and thirteenth-century Scotland, it is possible that the intensifying link between kingship and traditional literate learning suggested by reading out the royal genealogy from a scroll at a king's inauguration has similarities with the intimate ties between *brāhmaṇas* and kings that were immortalised in stone and copper-plate inscriptions from ancient and early medieval Bengal. Perhaps, therefore, it is the genealogy of the king of Scots, rather than Scottish charters, that offers the closest parallel with the Bengal copper-plates in terms of the relationship between specialist practitioners and the social authority which they represented – a relationship in which distinctions between genealogy, panegyric, and charter could become less significant as ways of reinforcing the exercise of royal authority in particular contexts.

Finally, let us consider one further concept arising from these studies. In both contexts, we may view the centrality of the ruler's legitimacy to his position as the supreme authenticating authority, fount of justice, and land-holding. In the period when there was no king of Scots in the last decade of the thirteenth century, and Scotland was ruled by Guardians, no perpetuities (dispositions of property that created a future interest in it in such a way as to restrict its subsequent alienation or devolution into the distant future) were issued. Similarly, in England in the late thirteenth century, Edward I succeeded to the English throne while on crusade. No perpetuities were issued until he had returned to England and been crowned as the legitimate king. Meanwhile in Bengal, the *praśasti* legitimised the royal donor

and guaranteed a gift for ever. In Scotland the genealogy read out at the inauguration might have acted in a similar way, guaranteeing all donations made in perpetuity by the king, or confirmed by the king.

There is evidently a meeting of interests of scholars working on medieval Bengal and Scotland in what written records of property transfer can offer the study of medieval societies and landscapes. After these essential preliminary steps, establishing the nature of these records, not only as text, but also as physical artefacts, whether parchment, copper, or stone – codices or single sheets – we hope that even more fruitful work can be pursued in the future. In looking from an entirely different perspective on the relationship between writing, government, and society we hope to have prepared the ground for an approach that is applicable in different societies with similar kinds of sources, which can be pursued more widely, not only in Europe and India, but beyond. The studies presented in this book are intended as an initial step in that direction.



*Acknowledgements – John Reuben Davies*

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At a more personal level, Professor Swapna Bhattacharya, my close co-worker in Kolkata, has become a dear friend, whose warmth and generosity of spirit allowed this collaboration not just to take place but to flourish; and she, together with her husband, Dr Deboprasad Chakraborti, have welcomed me into their lives and their home like a younger brother. My appreciation and gratitude are profound.

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Rajat Sanyal. Their friendship, hard work, companionship, hospitality, good humour, and scholarship has made my trips to Kolkata a special pleasure. I am grateful to them for accepting my invitation to work together, and for all that they have done to make me feel that Kolkata is a second home for me both intellectually as well as emotionally.

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*John Reuben Davies*  
University of Glasgow, March 2019



*Acknowledgements – Swapna Bhattacharya*

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We have aimed at exploring new ground in the study of comparative diplomatic, taking a larger canvas than ever before. During the years (1981–1985) when I was engaged in such a challenging academic venture of comparisons, I received help from my two doctoral supervisors, Professor Hermann Kulke and Professor Dietmar Rothermund of the Südasien-Institut, Heidelberg University. They most kindly extended all the necessary support and guidance, and joined by their families, gave me a home away from home in Heidelberg.

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